

Attorney Docket No: GRAY018/00US

PATENT

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

EYEGLASSES FRAME WITH ROTATABLE TEMPLES

the specification of which:

(check one)

☒ [x] is attached hereto;

☐ [] was filed as United States Application Serial No. \_\_\_\_ on \_\_\_\_, and was amended on (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date) (day, month, year)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date) (day, month, year)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of first inventor:** Nestor M. BENAVIDES

Inventor's signature 

Date August 28, 2001

Residence: Gaithersburg, Maryland

Citizen of: United States

Post Office Address: 345 Little Quarry Road, Gaithersburg, Maryland 20878

**Full name of second inventor:** Matthew LAINE

Inventor's signature 

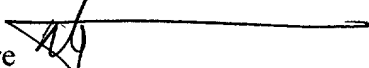
Date 8/28/01

Residence: Severna Park, Maryland

Citizen of: United States

Post Office Address: 140 Idlewild Road, Severna Park, Maryland 21146

**Full name of third inventor:** Brian E. LE GETTE

Inventor's signature 

Date 8-28-01

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 720 S. Montford Avenue, Baltimore, Maryland 21224

**Full name of fourth inventor:** Russell REED

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 3033 Oak Rim Lane, Park City, Utah 84060

**Full name of fifth inventor:** David B. STALEY

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 2737 Holiday Ranch Loop Road, Park City, Utah 84060

**Full name of sixth inventor:** Alan TIPP

Inventor's signature 

Date 8-28-01

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 1900 Thames Street, Apt. #427, Baltimore, Maryland 21230

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Full name of seventh inventor: Justin S. WERNER

Inventor's signature

Date \_\_\_\_\_

Residence: Millersville, Maryland

Citizen of: United States

Post Office Address: 302 Galena Court, Millersville, Maryland 21108

**Full name of eighth inventor:** Ronald L. WILSON, II

Inventor's signature

Date \_\_\_\_\_

Residence: Catonsville, Maryland

Citizen of: United States

Post Office Address: 10 Ballymena Court, Catonsville, Maryland 21228

Attorney Docket No: GRAY018/00US

PATENT

## DECLARATION

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(Filing Date) (day, month, year)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date) (day, month, year)

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**Full name of first inventor:** Nestor M. BENAVIDES

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Gaithersburg, Maryland

Citizen of: United States

Post Office Address: 345 Little Quarry Road, Gaithersburg, Maryland 20878

**Full name of second inventor:** Matthew LAINE

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Severna Park, Maryland

Citizen of: United States

Post Office Address: 140 Idlewild Road, Severna Park, Maryland 21146

**Full name of third inventor:** Brian E. LE GETTE


Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 720 S. Montford Avenue, Baltimore, Maryland 21224

**Full name of fourth inventor:** Russell REED


Inventor's signature  Date 8-30-01

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 3033 Oak Rim Lane, Park City, Utah 84060

**Full name of fifth inventor:** David B. STALEY

Inventor's signature  Date 8/28/01

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 2737 Holiday Ranch Loop Road, Park City, Utah 84060

**Full name of sixth inventor:** Alan TIPP

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 1900 Thames Street, Apt. #427, Baltimore, Maryland 21230

**Full name of seventh inventor: Justin S. WERNER**

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Millersville, Maryland

Citizen of: United States

Post Office Address: 302 Galena Court, Millersville, Maryland 21108

**Full name of eighth inventor: Ronald L. WILSON, II**

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Catonsville, Maryland

Citizen of: United States

Post Office Address: 10 Ballymena Court, Catonsville, Maryland 21228

**Attorney Docket No: GRAY018/00US**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Nestor M. BENAVIDES et al.

Serial No.: Unassigned

Examiner: Unassigned

Filed: Herewith

Art Unit: Unassigned

For: EYEGLASSES FRAME WITH ROTATABLE TEMPLES

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Commissioner for Patents  
Washington, D.C. 20231

**POWER BY ASSIGNEE  
AND STATEMENT UNDER 37 C.F.R. §3.73(b)**

The Assignee of the entire right, title, and interest in the above-identified application hereby grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with this application, any applications claiming priority to this application, and any patents issuing therefrom.

The Assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

[x] An assignment document, a copy of which is enclosed herewith;

Please direct all telephone calls and correspondence to:

COOLEY GODWARD LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5601  
Tel: (703) 456-8000  
Fax: (703) 456-8100

CUSTOMER NUMBER: **022903**

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Date: 8-28-01

Signature:

Name: Brian E. Le Gette

Title: President

Company: Gray Matter Holdings, LLC



**Attorney Docket No. GRAY018/00US**

## PATENT

Applicant or Patentee: Nestor M. BENAVIDES et al.  
 Serial No.: Unassigned Patent No.:  
 Filed: Herewith Issued:  
 For: EYEGASSES FRAME WITH ROTATABLE TEMPLES

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS UNDER  
37 C.F.R. §1.27 - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Gray Matter Holdings, LLC  
Address of Small Business Concern: 720 S. Montford Avenue  
Baltimore, Maryland 21224

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121 for purposes of paying reduced fees under 35 U.S.C. §§41(a) and (b), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both;

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled EYEGLASSES FRAME WITH ROTATABLE TEMPLES and described in:

- [x] the specification filed herewith;  
 [ ] the application identified above; or  
 [ ] the patent identified above;

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.27(a)(2) and 13 C.F.R. §121 or a nonprofit organization under 37 C.F.R. §1.27(a)(3):

**\*NOTE:** Please obtain separate Assertions of Entitlement to Small Entity Status from each named person, concern or organization having rights to the invention averring to their status as small entities.

Name:

Address:

☐ Individual      ☐ Small Business Concern      ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.27(g))

Signature

~~\_\_\_\_\_~~

Date \_\_\_\_\_

8-28-0

Name of Person Signing

Brian E. Le Gette

Title of person other than owner

President

Address of person signing

720 S. Montford Avenue

Baltimore, Maryland 21224